

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

ROGER REED,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	No. 2:16-cv-2020-JDT-dkv
	)	
SHELBY COUNTY JUSTICE CENTER,	)	
ET AL.,	)	
	)	
Defendants.	)	

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SECOND ORDER DIRECTING PLAINTIFF TO COMPLY  
WITH 28 U.S.C. § 1915(a)(2) OR PAY THE \$400 CIVIL FILING FEE

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On January 8, 2016, Plaintiff Roger Reed, booking number 15107530, who is incarcerated at the Shelby County Criminal Justice Complex in Memphis, Tennessee, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983, accompanied by a motion to proceed *in forma pauperis*. (ECF Nos. 1 & 2.) However, the affidavit submitted by Plaintiff was not accompanied by a certified copy of his trust account statement. Therefore, the Court issued an order on January 12, 2016, directing Plaintiff to either pay the entire filing fee or comply with the Prison Litigation Reform Act (“PLRA”), 28 U.S.C. §§ 1915(a)-(b), by filing a copy of his inmate trust account statement for the last six months. (ECF No. 4.)

Plaintiff filed a second *in forma pauperis* affidavit on January 25, 2016 (ECF No. 5), but again he did not include a copy of his trust account statement. The Court will

require Plaintiff to make an effort to obtain that document. Therefore, Plaintiff is again ORDERED to submit, within thirty (30) days after the date of this order, either the entire \$400 civil filing fee or a certified copy of his trust account statement for the last six months.<sup>1</sup>

If Plaintiff timely submits the necessary documents and the Court finds that he is indeed indigent, the Court will grant leave to proceed *in forma pauperis* and a filing fee of \$350 in accordance with the installment procedures of 28 U.S.C. § 1915(b). However, if the Plaintiff fails to comply with this order in a timely manner, the Court will deny leave to proceed *in forma pauperis*, assess the entire \$400 filing fee without regard to the installment payment procedures, and dismiss the action without further notice for failure to prosecute, pursuant to Fed.R.Civ.P. 41(b). *McGore*, 114 F.3d at 605.

IT IS SO ORDERED.

s/James D. Todd  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Plaintiff does not need to submit another *in forma pauperis* affidavit.